



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

Applicant: R. Imanaka

: Art Unit: 2611

Serial No.: 09/631,540

: Examiner: C. Grant

Filed: August 3, 2000

FOR: SERVER APPARATUS, SUBSCRIBER

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TERMINAL DISCLAIMER TO
OVERCOME DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents

Washington, D.C. 20231

S I R :

I, Daniel N. Calder, represent that I am an attorney of record for this invention.

The Assignee is Matsushita Electric Industrial Co., Ltd.

The extent of the interest in this invention that the Assignee owns is in the whole of this invention, by virtue of an assignment from the inventor of U.S. patent application Serial No. 09/594,152, filed June 12, 2000 and Serial No. 09/631,542, filed August 3, 2000.

The Assignment was recorded on October 13, 1995, Reel 7692, Frames 0439. A copy thereof is attached.

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173 of United States Serial No. 09/594,152, filed June 12, 2000 and Serial No. 09/631,542, filed August 3, 2000., are hereby disclaimed, except as provided

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below. It is agreed that any patent so granted on the above-identified application shall be enforceable ~~only~~ for and during such period that said patent shall be commonly ~~owned~~ with United States Serial No. ~~09/594,152~~, filed June 12, 2000 and Serial No. ~~09/631,542~~, filed August 3, 2000, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term (as defined in 35 U.S.C. §§ 154 to 156 and 173) of any patent issuing from United States Serial No. 09/594,152, filed June 12, 2000 and Serial No. 09/631,542, filed August 3, 2000, in the event that any patent issuing from United States Serial No. 09/594,152, filed June 12, 2000 and Serial No. 09/631,542, filed August 3, 2000, later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is terminated prior to expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

The fee of \$110.00 set forth in 37 C.F.R. § 1.20(d) is submitted herewith.

Respectfully Submitted,

Daniel N. Calder

Daniel N. Calder, Reg. No. 37,424
Attorney for Applicant

DNC/ap
Enclosure:
Dated: July 23, 2001

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The Commissioner is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

7/23/01

Daniel N. Calder